



September 19, 2012

## Registration and Title Bulletin # 035-12 Policy and Procedure

**TO:** All County Tax Assessor-Collectors

**SUBJECT:** General information about Golf Carts, ATVs, and ROVs

### **PURPOSE**

To provide you the following information regarding the title requirements for Golf Carts, ATVs, and ROVs:

- Golf Carts – **cannot** be titled in Texas, effective September 1, 2009;
- All-Terrain Vehicles (ATVs) – are **required** to be titled, effective September 1, 1985; and
- Recreational Off-Highway Vehicles (ROVs) – are **required** to be titled, effective September 1, 2009; however, some may qualify for a title exemption by completing the **Form VTR-329, Recreational Off-Highway Vehicle Used for Farming or Lawn Care**.

### **DETAILS**

Golf Carts are not titled and may not be registered in accordance with Transportation Code 551.402.

Although ATVs are required to be titled, ATVs cannot be modified or altered for use on public highways. The manufacturer of an ATV must include an “Off Highway Use Only” statement on the manufacturer’s certificate of origin.

Often there is confusion about whether a vehicle is a Golf Cart that cannot be titled or if it is a ROV that must be titled. A determining factor is whether the primary use is for farming or lawn care. A ROV is a vehicle that **was not** designed primarily for farming or lawn care, and as such, these vehicles are required to be titled.

A ROV may be exempted from the title requirement if the purchaser certifies that the vehicle will be used primarily for farming or lawn care. The purchaser makes the certification by completing **Form VTR-329**. However, a ROV that has multiple rows of seats, contains food or beverage equipment, or is equipped with specifically non-farm or non-lawn care equipment is not eligible for the title exemption. A licensed dealer is to provide a photocopy of the completed **Form VTR-329**, along with the Manufacturer’s Certificate of Origin (MCO), to the original purchaser. The dealer retains the original **Form VTR-329** in their records.

If the original purchaser of the exempt ROV sells the ROV, they must provide the photocopy of the **Form VTR-329** and the MCO to the subsequent purchaser. If the original purchaser wishes to obtain a Certificate of Title at a later date, the photocopy of the completed **Form VTR-329** must be submitted with **Form 130-U** and the MCO. Similarly, if a subsequent purchaser wishes

to obtain a Certificate of Title, the photocopy of the completed **Form VTR-329** from the original purchaser must be submitted with **Form 130-U** and the MCO.

When presented with a **Form VTR-329** by an original purchaser who subsequently wishes to title the ROV, the Delinquent Transfer Penalty would not apply. If this situation occurs after the 30<sup>th</sup> day from the date of sale, the Registration and Title System (RTS) will calculate a Delinquent Transfer Penalty. The penalty should be manually changed to reflect no charge and will require a Supervisor Override. In the case of a subsequent purchaser, the delinquent transfer penalty would apply once the 30 day transfer period has passed from the date of the subsequent purchase since there is an actual change in ownership.

The National Highway Traffic Safety Administration (NHTSA) regulates motor vehicles manufactured primarily for use on public streets, roads, or highways. Vehicles that are regulated by NHTSA are required to have 17-digit VINs. However, Texas requires titling of ROVs, ATVs and some trailers, which are not regulated by NHTSA; therefore, these vehicles may not have a 17-digit VIN. For ROVs, ATVs and trailers that do not have a 17-digit VIN, a serial number is acceptable in lieu of a VIN.

#### **COUNTY ACTION**

Please pay close attention when presented with title applications for Golf Carts, ATVs, or ROVs to ensure compliance with current title requirements. When presented with a photocopy of **Form VTR-329**, include it with the title application submitted to the department and, if applicable, override the Delinquent Transfer Penalty.

#### **CONTACT**

If you have any questions, please contact your local TxDMV Regional Service Center.

Sincerely,



Randy Elliston, Director  
Vehicle Titles and Registration Division

Attachment